

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

10/26/04

Date

2 (pet. ext.) + 2 (rest.) = 4 total

Signature

RAQUEL WEST

Type or printed name of person signing certificate

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Rahul Gupta, et al.	RECEIVED CENTRAL FAX CENTER
Application No.:	10/676,969	OCT 26 2004
Filing Date:	September 30, 2003	
Group Art Unit:	2814	
Examiner:	Ngo, Ngan V	
Title:	Interfacial Trap Layer to Improve Carrier Injection	
Attorney Docket No.:	2003P12642US	

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A Restriction Requirement for the above case was mailed on September 16, 2004 with a one month period to respond. A petition for a one month extension is being concurrently filed so that the due date is extended to November 16, 2004.

In response to the Restriction Requirement, Applicants assert that the search and examination of all of the claims can be made without serious burden to the Examiner,

Docket No.: 2002P20036US

Application No.: 10/342,568

therefore, the Examiner should examine all the claims on the merits even if the application includes claims to two independent or distinct inventions. *See MPEP § 803.*

In the event that the instant Restriction Requirement is maintained despite the above argument, the Applicants provisionally elect Group I (i.e., claims 1-12, and 26-33) with traverse for the reasons presented above and respectfully request that upon the finding of allowability of Group I, the claims of Group II be rejoined as set forth at MPEP 821.04.

The Applicants expressly reserve the right under 35 U.S.C. § 121 to file a divisional application directed to the nonelected subject matter during the pendency of this application, or an application claiming priority of this application.

Applicants respectfully submit that the pending claims are in condition for allowance and seek early allowance thereof. If for some reason the Examiner is unable to allow the claims in the next Office Action and believes that an interview would be helpful, it is requested that the Examiner contact the undersigned.

Date: Oct. 22, 2004

Respectfully requested,

CUSTOMER NUMBER 28524
SIEMENS CORPORATION
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830
ATTENTION: Elsa Keller, IP Department
Telephone: (732) 321-3026

By: Thomas George
Thomas George
Registration No. 45,740
Attorney for Applicants
Tel: 650-694-5191
Fax: 650-968-4517